

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUSTIN LOPER,

Defendant.

Case No. 2:14-cr-00321-GMN-NJK

ORDER

Pending before the Court is Defendant Justin Loper's motion to sever. Docket No. 178. Defendant asks the Court to sever his trial from the trial of his co-defendants because introduction of his co-defendants' post-arrest statements would violate his Constitutional right to a fair trial. *Id.*

On July 8, 2016, pursuant to Fed.R.Crim.P. 14(b), the Court ordered the United States to provide to chambers, *in camera*, "an unredacted copy of each defendant's statement, as well as a redacted copy of each defendant's statement that it intends to use in evidence at trial on the instant matter." Docket No. 196 at 2. The Court subsequently granted the parties' stipulation for extension of time, and ordered that the documents must be produced to chambers no later than July 27, 2016. Docket No. 202.

On July 27, 2016, the United States provided to chambers, for each co-defendant's statement, a full video recording of the statement, a full unredacted transcript of the statement, and a document

1 wherein the United States set forth the specific times in each video that it intends to present to the jury.
2 Contrary to the Court's prior order, the United States did not present a redacted statement for each co-
3 defendant - either in video or transcript form. It appears as if counsel for the United States determined
4 that the Court, rather than the United States, should invest its time and resources in redacting the
5 statements. The Court declines to do so.

6 The Court **ORDERS** the United States to comply in full with the Court's prior order, and
7 provide to the undersigned's chambers, *in camera*, "an unredacted copy of each defendant's statement,
8 as well as a redacted copy of each defendant's statement that it intends to use in evidence at trial on the
9 instant matter." Docket No. 196 at 2. These statements shall be provided to chambers no later than
10 August 2, 2016. Failure to comply with the Court's order may result in sanctions.

11 IT IS SO ORDERED.

12 DATED: July 28, 2016.

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15 NANCY J. KOPPE
16 United States Magistrate Judge
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